

Practitioner's Docket No.: 24777-707

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PATENT

**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR  
UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS**

The undersigned ASSIGNEE of the entire interest in:

- ☐ U.S. Patent No. \_\_\_\_  
☒ U.S. application no. 09/903,423, filed on July 10, 2001

hereby appoints the following attorneys of Wilson Sonsini Goodrich &amp; Rosati:

Attorney Name	Reg. No.	Attorney Name	Reg. No.
Paul Davis	29,294	David J. Weitz	38,362
Ofer Matalon	39,439	U.P. Peter Eng	39,666
David J. Abraham	39,554	George Willman	41,378
Kenta Suzue	45,145	Shirley Chen	44,608
John Gilmore	46,375	Jonathan T. Manson	43,774
Keith Witek	37,475		

and all Wilson Sonsini Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

*(complete one of the following)*

- ☒ a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or
- ☐ the Assignment recorded on \_\_\_\_ at reel \_\_\_\_, frames \_\_\_\_ - \_\_\_\_.


Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to:

Name	Kenta Suzue					
Address	Wilson Sonsini Goodrich and Rosati					
Address	650 Page Mill Road					
City	Palo Alto	State	CA	Zip	94304	Customer No.: 021971
Country	USA	Telephone	(650) 493-9300	Fax	(650) 493-6811	

ASSIGNEE: RouteScience Technologies, Inc.

Name: Date: 10-12-01

Please Type a plus sign (+) inside this box 

PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

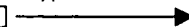
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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of the application is not designated in the prior United States or PCT international application in the manner provided by the first paragraph of 31 U.S.C. 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Customer Number 021971 

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar  
Code Label here

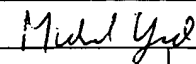
Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number or Bar Code Label 021971 OR ☐ Correspondence address below

Name	Kenta Suzue						
Address	Wilson Sonsini Goodrich & Rosati						
Address	650 Page Mill Road						
City	Palo Alto	State	CA	ZIP	94304		
Country	U.S.	Telephone	650-493-9300		Fax	650-493-6811	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any))				Family Name or Surname			
Michael A.				Lloyd			
Inventor's Signature						Date	10/11/01
Residence: City	San Carlos	State	CA	Country	US	Citizenship	US
Post Office Address	160 Arundel Road, San Carlos, CA 94070						
Post Office Address							
City	San Carlos	State	CA	ZIP	94070	Country	US

☒ Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto:

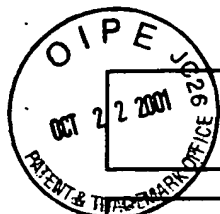
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PTO/SB/02A (3-97)

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
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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet Page <u>1</u> of <u>2</u>
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Sean P.				Finn			
Inventor's Signature				Date		10.11.2001	
Residence: City		Belmont		State		CA	
				Country		US	
Post Office Address		1533 Escondido Way, Belmont, CA 94002					
Post Office Address							
City		Belmont		State		CA	
				ZIP		94002	
				Country		US	
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Omar C.				Baldonado			
Inventor's Signature				Date		10/12/01	
City		Palo Alto		State		CA	
				Country		US	
Post Office Address		700 Alester Avenue, Palo Alto, CA 94303					
Post Office Address							
City		Palo Alto		State		CA	
				ZIP		94303	
				Country		US	
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Mansour				Karam			
Inventor's Signature				Date		10/12/01	
City		Mountain View		State		CA	
				Country		US	
Post Office Address		707 Continental Circle, #421, Mountain View, CA 94040					
Post Office Address							
City		Mountain View		State		CA	
				ZIP		94040	
				Country		US	

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet Page <u>2</u> of <u>2</u>
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<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name (first and middle (if any))				Family Name or Surname											
Faisal				Siddiqi											
Inventor's Signature		<i>Faisal Zakaria</i>				Date		10/12/01							
Residence: City		San Mateo		State		CA		Country		US		Citizenship		India	
Post Office Address		85 West 5 <sup>th</sup> Ave., #502, San Mateo, CA 94402													
Post Office Address															
City		San Mateo		State		CA		ZIP		94402		Country		US	
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name (first and middle (if any))				Family Name or Surname											
Herbert S.				Madan											
Inventor's Signature		<i>Herbert Madan</i>				Date		10/12/01							
City		Tiburon		State		CA		Country		US		Citizenship		US	
Post Office Address		347 Blackfield Drive, Tiburon, CA 94920													
Post Office Address															
City		Tiburon		State		CA		ZIP		94920		Country		US	
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name (first and middle (if any))				Family Name or Surname											
James G.				McGuire											
Inventor's Signature		<i>James McGuire</i>				Date		10/12/01							
City		San Francisco		State		CA		Country		US		Citizenship		US	
Post Office Address		2312 Gough Street, San Francisco, CA 94019													
Post Office Address															
City		San Francisco		State		CA		ZIP		94019		Country		US	

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ASSIGNMENT OF APPLICATION

Docket Number 24717-707

Whereas, the undersigned:

- |   |   |  |  |
|---|---|--|--|
| 1. Lloyd Michael A.<br>160 Arundel Road<br>San Carlos, CA 94070                   | 2. FINN, Sean P.<br>1533 Escondido Way<br>Belmont, CA 94002       | 3. BALDONADO, Omar C.<br>700 Alester Avenue<br>Palo Alto, CA 94303   | 4. KARAM, Mansour<br>707 Continental Circle, #421<br>Mountain View, CA 94040 |
| 5. SIDDIQI, Faisal<br>85 West 5 <sup>th</sup> Avenue, #502<br>San Mateo, CA 94402 | 6. MADAN, Herbert S.<br>347 Blackfield Drive<br>Tiburon, CA 94920 | 7. McGUIRE, James G.<br>2312 Gough Street<br>San Francisco, CA 94019 |  |

hereinafter termed "Inventors", have invented certain new and useful improvements in

SYSTEMS AND METHODS FOR ROBUST, REAL-TIME MEASUREMENT OF NETWORK PERFORMANCE

- ☒ for which an application for United States Patent was filed on July 10, 2001, Application No. 09/903,423  
☐ for which an application for a United States Patent was executed on \_\_\_\_\_, and

WHEREAS, RouteScience, Technologies, Inc., having a place of business at 167 2nd Avenue, San Mateo, CA 94401, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation reissues and reexaminations, opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, said Inventors have executed and delivered this instrument to said Assignee as of the dates written below:

Date: 10/11/01  
Date: 10.11.01  
Date: 10/12/01  
Date: 10/12/01  
Date: 10/12/01  
Date: 10/12/01  
Date: 10/12/01

Michael Lloyd  
Michael Lloyd  
Sean P. Finn  
Omar C. Baldonado  
Omar C. Baldonado  
Mansour Karam  
Faisal Siddiqi  
Faisal Siddiqi  
Herbert S. Madan  
James G. McGuire  
James G. McGuire